

### **REMARKS**

Applicant has cancelled claims to address the requirements set forth by the Final Office Action. Claims 9 – 12 remain pending in the application, which claims the Examiner has expressly indicated as being allowed without amendment. Specifically, the Examiner has confirmed withdrawal of the prior rejection of Claims 9 – 12.

### **No Payment of Fees**

The present Amendment and Communication presents no additional independent or dependent claims, and accordingly no additional fees are required.


### **Conclusion**

Applicant respectfully submits that the subject application as a whole, including claims 9 – 12, is now in *prima facie* condition for allowance, and reconsideration and allowance of same is respectfully requested. Should it be determined, however, that a telephone conference would expedite the prosecution of the subject application, the Examiner is respectfully requested to contact the attorney undersigned at (312) 456-8400.

The Commissioner is hereby authorized to charge any fee deficiency or credit overpayment to deposit account number 50-2428 in the name of Greenberg Traurig.

Respectfully Submitted


Date: May 17, 2005

  
Howard E. Silverman  
One of Attorney's for Applicant

## CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this Amendment and Communication is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment P.O. Box 1450, Alexandria, Virginia 22313-1450.

Dated: May 17, 2005



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Howard E. Silverman

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